

Remarks

After entry of the amendment claims 1, 5-8, 12-15, 19-22, 26-29 and 33-35 are pending.

Claims 1, 8, 15, 22 and 29 have been amended and are supported by original claims 4, 11, 18, 25, and 32 respectfully. In view thereof, claims 2-4, 9-11, 16-18, 23-25 and 30-32 have been cancelled.

No issues of new mater should arise and entry of the amendment is respectfully requested.

A. Rejection under 35 U.S.C. §112, First Paragraph

Claims 1-35 are rejected under 35 USC § 112, first paragraph, as lacking enablement.

Applicants respectfully traverse the rejection and respectfully submit that the claims are fully enabled.

Claims 1, 8, 15, 22 and 29 have been amended and are supported by the specification at, for example, page 17, line 10 to page 21, line 18; page 29, line 11 to page 32, line 9. In view thereof, Applicants respectfully submit that the claims satisfy the requirement under 35 U.S.C. § 112, first paragraph, and respectfully request that the rejection under this provision be withdrawn.

B. Rejection under 37 C.F.R. §112, second paragraph

Claims 1-35 are rejected under 37 C.F.R. §112, second paragraph, as being indefinite.

In view of the amendment to the claims the rejection is now moot.

C. First Rejection under 35 U.S.C. §102(b)

Claims 1-3, 8-10, 15-17, 22-24 and 29-31 are rejected under 35 U.S.C. 102(b) as anticipated by Groves et al (*Circulation* 87: 590-597 (1993)).

Applicants respectfully traverse the rejection and respectfully submit that the pending claims are not anticipated by Groves in view of the fact that claims have been amended to recite "wherein the nitric oxide adduct is an angiotensin converting enzyme inhibitor which has at least one -O-NO₂ group." Nitroglycerin and an angiotension converting enzyme inhibitor are very different compounds. Additionally Groves does not provide any motivation or suggestion to use a nitric oxide adduct such as an angiotension converting enzyme inhibitor which has at least one -O-NO₂ group. In view thereof, Applicants respectfully request that the rejection under § 102(b) be withdrawn.

D. Second Rejection under 35 U.S.C. §102(b)

Claims 1-3, 5, 7-10, 12, 14-17, 19, 21-24, 26, 28-31, 33 and 35 are rejected under 35 U.S.C. 102(b) as anticipated by Loscalzo (*J. Clin. Invest* 76: 703-708 (1985)).

Applicants respectfully traverse the rejection and respectfully submit that the pending claims are not anticipated by Loscalzo in view of the fact that claims have been amended to recite "wherein the nitric oxide adduct is an angiotensin converting enzyme inhibitor which has at least one -O-NO₂ group." Nitroglycerin and an angiotension converting enzyme inhibitor are very different compounds. Additionally Loscalzo does not provide any motivation or suggestion to use a nitric oxide adduct such as an angiotension converting enzyme inhibitor which has at least one -O-NO₂ group. In view thereof, Applicants respectfully request that the rejection under § 102(b) be withdrawn.

E. Third Rejection under 35 U.S.C. §102(b)

Claims 1-3, 8-10, 15-17, 22-24 and 29-31 are rejected under 35 U.S.C. 102(b) as anticipated by De Caterina et al (*Z. Kardiol* 78 Suppl 2: 56-60 (1989)).

Applicants respectfully traverse the rejection and respectfully submit that the pending claims are not anticipated by De Caterina in view of the fact that claims have been amended to recite "wherein the nitric oxide adduct is an angiotensin converting enzyme inhibitor which has at least one -O-NO₂ group." Nitroglycerin and an angiotension converting enzyme inhibitor are very different compounds. Additionally De Caterina does not provide any motivation or suggestion to use a nitric oxide adduct such as an angiotension converting enzyme inhibitor which has at least one -O-NO₂ group. In view thereof, Applicants respectfully request that the rejection under § 102(b) be withdrawn.

F. Fourth Rejection under 35 U.S.C. §102(b)

Claims 1, 2, 4, 8, 9, 11, 15, 16, 18, 22, 23, 25, 29 30 and 32 are rejected under 35 U.S.C. 102(b) as anticipated by Ambrosioni et al (*J. Cardiovasc Pharmacol* 14: Suppl 9:S92-94 (1989)).

Applicants respectfully traverse the rejection and respectfully submit that the pending claims are not anticipated by Ambrosioni. Ambrosioni discloses the use of angiotensin converting enzyme inhibitors for treating ischemic heart disease. Ambrosioni does not disclose or suggest an angiotensin converting enzyme inhibitor which has at least one -O-NO₂ group. Additionally Ambrosioni does not provide any motivation for one to modify an angiotensin converting enzyme inhibitor to contain at least one -O-NO₂ group.

In view thereof, Applicants respectfully request that the rejection under 35 U.S.C. §102 be withdrawn.

G. Fifth Rejection under 35 U.S.C. §102(b)

Claims 1-3, 5, 6, 8-10, 12, 13, 15-17, 19, 20, 22-24, 26, 27, 29-31, 33 and 34 are rejected under 35 U.S. C. 102(b) as anticipated by Stamler et al (*Cir Res.* 65: 796-804 (1989)).

Applicants respectfully traverse the rejection and respectfully submit that the pending claims are not anticipated by Stamler in view of the fact that claims have been amended to recite "wherein the nitric oxide adduct is an angiotensin converting enzyme inhibitor which has at least one -O-NO₂ group." The prostaglandins and nitroglycerin disclosed by Stamler are very different from the angiotensin converting enzymes of the present invention. Additionally Stamler does not provide any motivation or suggestion to use a nitric oxide adduct such as an angiotension converting enzyme inhibitor which has at least one -O-NO₂ group. In view thereof, Applicants respectfully request that the rejection under § 102(b) be withdrawn.

H. Conclusion

Applicants respectfully request reconsideration and allowance of claims 1, 5-8, 12-15, 19-22, 26-29 and 33-35. The Examiner is encouraged to contact the undersigned concerning any questions about the present application.

Respectfully submitted,



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